



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2005 - 123

Secretary of State
Frankfort
Kentucky

February 7, 2005

RELATING TO THE ENVIRONMENTAL AND PUBLIC
PROTECTION CABINET REGARDING PERMITTING
ACTIVITIES FOR COAL

WHEREAS, the Commonwealth Energy Policy Task Force issued a comprehensive energy strategy to guide energy policy decisions for the Commonwealth of Kentucky; and

WHEREAS, governmental regulatory programs should be rational, reasonable, effective and user-friendly; and

WHEREAS, unnecessary paper and processing delays provide no benefit to the citizens of the Commonwealth; and

WHEREAS, in the United States, coal consumption is expected to grow by thirty-five percent by the year 2025; and

WHEREAS, the Commonwealth of Kentucky is the third largest coal-producing state in the nation; and

WHEREAS, coal producers must secure permits from a number of federal and state regulatory agencies to conduct coal removal and exploration operations; and

WHEREAS, the Commonwealth Energy Policy Task Force's report, *Kentucky's Energy – Opportunities for our Future*, recommended, "The Commonwealth of Kentucky should examine its current mine permitting policies and identify streamlining opportunities.";

NOW, THEREFORE, I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Kentucky Constitution, do hereby direct the following:

- (1) The Environmental and Public Protection Cabinet shall create a working group comprised of representatives from both the Department of Environmental Protection and the Department for Natural Resources;
- (2) The working group shall examine current policies and practices regarding how the departments currently interact with each other and with relevant federal agencies such as the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the Office of Surface Mining;
- (3) The working group shall seek opportunities to improve coordination and increase efficiency among the departments and with the federal regulatory agencies;



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER


2005 - 123

Secretary of State

Frankfort
Kentucky

February 7, 2005

- (4) The working group shall consult with other state agencies, the regulated community and the public;
- (5) The working group shall identify opportunities to streamline permitting activities while preserving Kentucky's commitment to environmental quality;
- (6) The working group shall prepare recommendations and submit them to the Secretary of the EPPC within nine months (9) of the effective date of this Executive Order.
- (7) The Secretary of the Environmental and Public Protection Cabinet shall review recommendations and implement those recommendations that further the principles of the Commonwealth Energy Policy Task Force.


ERNIE FLETCHER, Governor
Commonwealth of Kentucky


TREY GRAYSON
Secretary of State

RECEIVED AND FILED

DATE

2/7/05

TREY GRAYSON

SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY

R. Goller